



## Department of Energy

Washington, DC 20585

October 1, 2003

### **FISCAL YEAR 2004 PRIORITIES FOR THE APPLIANCE STANDARDS RULEMAKING PROCESS**

The Department of Energy (DOE), Building Technologies Program thanks our stakeholders who commented on our draft priorities for the fiscal year 2004. These priority levels assist DOE in determining the allocation of available resources during the coming year. DOE plans to devote considerable resources to each high-priority rulemaking, for activities including the preparation of technical feasibility and economic impact analyses, the conduct of public meetings, and the issuance of various rulemaking notices, as appropriate. These proposed priorities assume requested funds for fiscal year 2004 for the Appliance Standards Program.

DOE sent out a request for comments in July, asking for comments to be received by Mid-August. The Department has carefully looked at all the comments received. The Department is aware that passage of current draft legislation will impact its priorities, and if that legislation is passed the Department will reprioritize. While our finalized priorities remain very similar to our draft priorities, the Department would like to point out the following:

- The Department's ability to change work load is relatively fixed due to work underway. The prioritization process for fiscal year 2005 will be a more comprehensive effort. This is due to expected changes from the pending legislation, and some of the high priority products will be completed in 2005 which will allow new work to be undertaken.
- DOE is committed to seeking stakeholder input in prioritization decisions, as described in the Process Improvement Rule 61 FR 36974 (July 15, 1996). And as mentioned above for the fiscal year 2005 priority setting process, the Department plans to more rigorously update the information in the priority setting data sheets and conduct a workshop in the spring of 2004.
- While DOE has many high priority efforts ongoing, the majority of staff and contractual resources are focused on the following rules:
  - residential furnaces and boilers and mobile home heaters;
  - commercial central air conditioning;
  - distribution transformers;
  - clothes washer test procedure; and
  - distribution transformer test.

Many comments were received regarding extending the residential clothes washer standard to residential style commercial clothes washers. The Department is looking into the issues surrounding this possible action. The Department is continuing its investigation of statutory authority to cover these machines.



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DOE's fiscal year priorities are laid out in the two attached tables. The priorities for fiscal year 2004 remain the same as those for fiscal year 2003, except for the following:

- DOE has begun the process for covering additional products (torchieres, certain incandescent lamps - elliptical reflector/bulged reflector (ER/BR), ceiling fans, commercial reach-in refrigerators/freezers, and vending machines and beverage merchandisers) that would lead to the development of test procedures in fiscal year 2004 and then possibly standards. DOE considers this effort to be high priority;
- Commercial central air conditioning and heat pumps (3 phase, < 65 kBtu/h) changed from medium to high due to American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) adoption of a new ASHRAE standard 90.1.
- Residential clothes washer test procedures were changed from low to high due to test cloth issues; and
- Dishwasher test procedures are moved to low priority since a final rule was published on August 29, 2003 (68 FR 51887).

The Regulatory Agenda in the fall will reflect DOE's final priorities. If you have any questions, please contact Barbara Twigg at (202) 586-8714, fax: (202) 586-4617, e-mail: [barbara.twigg@ee.doe.gov](mailto:barbara.twigg@ee.doe.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Michael McCabe", is written over the typed name.

Michael McCabe, Program Manager  
Building Technologies  
Energy Efficiency and Renewable Energy

#### Attachments

Summary of Fiscal Year 2004 Priorities for Standards, Determinations, and Coverage  
Summary of Fiscal Year 2004 Priorities for Test Procedures

**Summary of Fiscal Year 2004 Priorities  
Standards, Determinations, and Coverage  
(As of October 1, 2003)**

**High Priority Products**

Beverage Merchandisers/Vending Machines (Coverage)  
Ceiling Fans (Coverage)  
Commercial Air-Cooled Central Air Conditioners and Air Source Heat Pumps  
(65-240 kBtu/h)  
Commercial Central Air Conditioners and Heat Pumps, 3 Phase, <65 kBtu/h  
Commercial Oil and Gas-Fired Packaged Boilers  
Commercial Reach-In Refrigerators/Freezers (Coverage)  
Distribution Transformers  
ER/BR Incandescent Reflector Lamp (Coverage)  
High Intensity Discharge Lamps (Determination)  
Packaged Terminal Air Conditioners and Heat Pumps  
Residential Central AC/HP (Small Duct High Velocity)  
Residential Furnaces and Boilers  
Small Electric Motors (Determination)  
Tankless Gas-Fired Instantaneous Water Heater  
Torchieres (Coverage)

**Medium Priority Products**

Dishwashers

**Low Priority Products**

Clothes Dryers  
Clothes Washers  
Commercial Water-Cooled A/C and Water-Source Heat Pumps  
Commercial Furnaces  
Commercial Water Heaters  
Cooking Products  
Direct Heating Equipment  
Electric Motor, 1-200 HP  
Fluorescent Lamp Ballasts  
Lamps, Fluorescent  
Lamps, Incandescent General Service  
Lamps, Incandescent Reflector  
Plumbing Fixtures/Fittings  
Pool Heaters, Gas  
Refrigerators  
Residential Water Heaters  
Room Air Conditioners

**Summary of Fiscal Year 2004 Priorities  
Test Procedures  
(As of October 1, 2003)**

**High Priority Products**

Clothes Washers  
Commercial A/C and Heat Pumps  
Commercial Furnaces  
Commercial Oil and Gas-Fired Packaged Boilers  
Commercial Water Heaters  
Distribution Transformers  
Residential Central AC/HP (Small Duct High Velocity)

**Medium Priority Products**

Compact Refrigerators  
Ductless Split Central AC/HP

**Low Priority Products**

Clothes Dryers  
Cooking Products  
Direct Heating Equipment, Gas  
Dishwashers  
Electric Motor, 1-200 HP  
Fluorescent Lamp Ballasts  
High Intensity Discharge Lamps  
Lamps, Fluorescent  
Lamps, Incandescent General Service  
Lamps, Incandescent Reflector  
Plumbing Fixtures/Fittings  
Pool Heaters, Gas  
Refrigerators  
Residential Furnaces and Boilers  
Residential Water Heaters  
Room Air Conditioners  
Small Electric Motors